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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/731,547
	Filing Date	12/09/2003
	First Named Inventor	Chanduszko, et al.
	Art Unit	3731
	Examiner Name	TBA
Total Number of Pages in This Submission	Attorney Docket Number	106586.154US2

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Postcard
Remarks 1. PTO Form 1449 (1 pg.) 2. International Search Report - PCT/US03/39253 3. 7 Publications		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael A. Diener
Signature	
Date	5-21-04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name		Tina M. Dougal	
Signature		Date	5-21-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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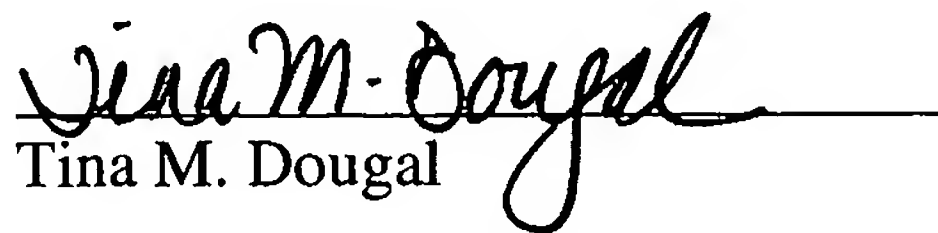
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chanduszko, et al.
Serial No.: 10/731,547
Filing Date: December 9, 2003
Title: Septal Closure Devices
Examiner: TBA
Group Art Unit: 3731
Attorney Docket No.: 106586.154US2



CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 21, 2004.


Tina M. Dougal

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 1.97(e)(1)**

Sir:

Applicants and their legal representatives hereby make of record on the attached PTO Form-1449 the following publications which are known to them and considered warranting disclosure under 37 C.F.R. §1.56 and 1.97-98. Copies of the publications are enclosed.

Applicants state under 37 C.F.R. §1.97(e)(1) that the publications provided herewith were cited in an International Search Report issued in connection with a counterpart international (PCT) patent application not more than three months prior to the filing of this statement.

The submission of these publications does not constitute a representation by the Applicants that a search has been made or that no better art exists and does not constitute an admission that the listed publications are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over

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the listed publications, should one or more of the publications be applied against the claims of the present application.

No fee is believed to due in connection with the filing of this Statement as the references provided herein are being timely filed under 37 CFR 1.97(e)(1).

However, in the event a fee is due, please charge any fee deficiency or credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,

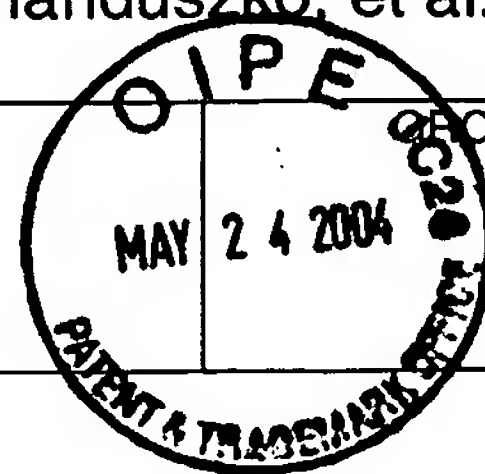
Dated: May 21, 2004



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HALE AND DORR LLP DRAFT OF MARCH 19, 2004 SUBT. FOR, PTO-1449 INFORMATION DISCLOSURE IN AN APPLICATION (USE SEVERAL SHEETS IF NECESSARY)				DOCKET NUMBER 106586.154US2	APPLICATION NUMBER 10/731,547
				APPLICANT Chanduszko, et al.	
				FILING DATE 12/09/03	GROUP ART UNIT 3731
SHEET	1	OF	1		



U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,944,738	08/31/99	Amplatz et al.	606	213	
	6,117,159	09/12/00	Huebsch et al.	606	213	
	6,355,052	03/12/02	Neuss et al.	606	212	
	6,488,706	12/03/02	Solymar	623	3.1	
	2002/0129819	01/19/02	Feldman et al	128	831	

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	01/49185	07/12/01	WO	A61B	17/00		
	1 013 227	06/28/00	EP	A61B	17/00		

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)		
	A1	
	A2	
	A3	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	